

Application No.: 10/026,171
Response dated: October 31, 2006
Reply to Office Action of: July 19, 2006

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REMARKS

Reconsideration of the present claims, in light of the above claim clarifications and the Remarks which follow, is respectfully requested.

Claims now before the Examiner are 1, 3, 5-12, 14-22 and 24 -35.

Support for the amendments to the claims is found at page 16, paragraph [0062] which reads in part: "In these embodiments, "heating" or "heated" means that what is "heated" or "heating" is maintained at substantially the same temperature "heated" or "heating" to." Applicants further note that in all the cited documents the lower limit of heating a metallocene, activator and support takes place at 85°C or above. Applicants' upper limit for heating a support is 75°C. The difference of 10°C shall be "substantial" and as such, the terminology in the claims of "substantially the same" in this context will be less than this 10°C difference.

The numbering in this Response will follow that of the Examiner's Action.

1. No response necessary.

Rejections under 35 USC § 112

2. *Claims 1, 3, 5- 10, 14- 22, and 24- 35 stand Rejected under 35 USC § 112, second paragraph.*

The Examiner states that "The independent claims read as if the carrier and the metallocene/cocatalyst compositions are heated to some higher temperature before contact, but are not necessarily at these elevated temperatures during the step of contacting them with each other." (emphasis original). Applicants' amendments to the independent claims are respectfully submitted to address the Examiner's rejection.

Withdrawal of the Rejections is respectfully requested.

Rejection Under 35 USC § 103

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3. & 4. Claims 1, 3, 5-10 and 14-22 stand Rejected under 35 USC § 103(a) as Obvious over either of Razavi I and Razavi II.

Neither Razavi document discloses or suggests the present claim elements. The present claim elements include, in most independent claims, a heating of the metallocene and also the activator not disclosed or suggested by either Razavi document. Furthermore, the amended claims include elements that the heated metallocene and activator are combined with a carrier that is heated to a temperature not disclosed or suggested by either Razavi document, and that the metallocene and activator are combined with the carrier at substantially the same temperature as the carrier/support. Accordingly, neither of the two Razavi documents render the present claims Obvious.

Withdrawal of the Rejections is respectfully requested.

5. Claims 1, 3, 5,-10, 14-22 and 24-35 stand Rejected under 35 USC § 103(a) as Obvious overy (Uwai).

The Uwai document does not disclose or suggests the present claim elements. The amended claims include elements that the heated metallocene and activator are combined with a carrier that is heated to a temperature not disclosed or suggested by the Uwai document, and that the metallocene and activator are combined with the carrier at substantially the same temperature as the carrier. Accordingly, Uwai does not render the present claims Obvious and withdrawal of the Rejection is respectfully requested.

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The claims are in condition for allowance.

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Respectfully submitted,



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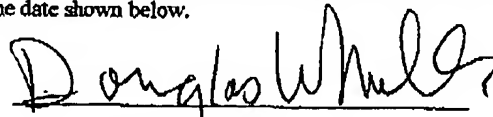
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10.31.06

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